

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                      |   |                         |
|----------------------|---|-------------------------|
| DWAYNE JOHNSON,      | : | Civil No. 1:22-cv-0731  |
|                      | : |                         |
| Plaintiff,           | : |                         |
|                      | : | (Judge Sylvia H. Rambo) |
| v.                   | : |                         |
|                      | : |                         |
| RYAN FLENKE, et al., | : |                         |
|                      | : |                         |
| Defendants.          | : |                         |

**ORDER**

AND NOW, this 23<sup>rd</sup> day of August, 2022, upon consideration of Magistrate Judge Carlson's Report and Recommendation (Doc. 9), which recommends, upon a second legally mandated screening review of Plaintiff's amended complaint, that the amended complaint be dismissed as to Defendants Walsh, Payne, Kjeselowsky, and the police dog, K9 JT, but that it be served upon Defendants Glass, Flenke, Bloss, and Wilt, and noting that no objections to the report and recommendation have been filed, **IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The Report and Recommendation is **ADOPTED**;
- 2) The amended complaint (Doc. 7) is **DISMISSED** as to Defendants Walsh, Payne, Kjeselowsky, and the police dog, K9 JT;
- 3) The amended complaint (Doc. 7) is **DEEMED FILED** as to Defendants Glass, Flenke, Bloss, and Wilt;
- 4) In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to **SERVE** a copy of the amended complaint (Doc. No. 7), notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), and this Order

on Defendants Glass, Flenke, Bloss, and Wilt. In the interests of efficient administrative judicial economy, the Court requests that Defendants waive service pursuant to Federal Rule of Civil Procedure 4(d);

- 5) If service is unable to be completed due to Plaintiff's failure to properly name the Defendants or provide an accurate mailing address for the Defendants, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to Federal Rule of Civil Procedure 4(m); and
- 6) This case is remanded to Magistrate Judge Carlson for further proceedings.

s/Sylvia H. Rambo  
Sylvia H. Rambo  
United States District Judge